

**REMARKS**

Claims 1 and 4-11 are all the claims pending in the present application.

Claims 1, 4 and 6-9 stand rejected under 35 USC §103(a) as allegedly being unpatentable over Hunzinger et al. (US PGPUB 2002/0172192 A1, hereinafter "Hunzinger") in view of Leppisaari et al. (WO 01/20924 A1, hereinafter "Leppisaari"), and further in view of Puharinen (8309700 Advanced Topics in Telecommunications). Claim 5 stands rejected under 35 USC 103(a) as allegedly being unpatentable over Hunzinger in view of Leppisaari, in view of Puharinen, and further in view of Balachandran et al. (US Patent 6,567,375 B2; hereinafter "Balachandran"). Claims 10 and 11 stand rejected under 35 USC 102(b) as allegedly being anticipated by Leppisaari.

Applicants maintain the arguments set forth in the Amendments/Responses dated February 18, 2009, July 18, 2008, and November 2, 2007, to the extent that these arguments apply the claims as currently amended.

Also, in the *Response to Arguments* section of the currently outstanding Office Action, the Examiner alleges:

With regard to applicant's argument that Hunzinger and Leppisaari fail to disclose or suggest wherein said transfer modes include the General Packet Radio Service (GPRS) mode and the Enhanced General Packet Radio Service (EGPRS) mode, the examiner respectfully disagrees. Hunzinger teaches different transfer modes when Hunzinger is discussing different data rates (paragraph 109). Leppisaari teaches that the invention is suitable for use in EGPRS (Enhanced GPRS), which is built on GPRS (page 12 lines 36-38). Therefore, Hunzinger and Leppisaari teach that the mode may include the General Packet Radio Service (GPRS) mode and the Enhanced General Packet Radio Service (EGPRS) mode.

With regard to applicant's argument that Leppisaari fails to teach or suggest a start sequence number (SSN) and a received block bitmap (RRB) in acknowledgement/non-acknowledgment (ACK/NACK) messages, the Examiner respectfully disagrees. In previous

communications, the examiner states that Leppisaari discloses that the network can receive the packet channel request sent by the wireless terminal, which comprises the bit pattern, where the bit pattern (i.e. 110101) contains the sequence number (in this case 1) and the received block bitmap (page 9 lines 7-29). As noted in the previous Office Action, this feature is taken directly from the 3GPP Technical Specification TS 44.060, however, Leppisaari also shows this feature with the example given on page 9 lines 7-14 (also see figures 4a and 4b). Therefore, Leppisaari discloses the limitation, “a start sequence number (SSN) and a received block bitmap (RRB) in acknowledgement/non-acknowledgment (ACK/NACK) messages.”

In response, Applicants submit that the applied references, including Leppisaari, do not disclose or suggest at least, “a Radio Link Control RLC transmitter receiving acknowledgement/non-acknowledgement ACK/NACK messages transmitted by a RLC receiver, said messages comprising a Start Sequence Number SSN and a Received Block Bitmap RRB; and in a transfer mode corresponding to Enhanced General Packet Radio Service EGPRS, said RLC transmitter taking into account SSN and RRB information transmitted in a non-acknowledged mode,” as recited in amended claim 1. According to Applicants’ understanding, Figs. 4A and 4B (on which the Examiner relies) disclose 8 and 11 bit packet channel requests. However, these packet channel requests are not analogous to the claimed acknowledgment/non-acknowledgment messages as set forth in claim 1. An acknowledgement/non-acknowledgement message might be responsive to a packet channel request but clearly is not the same as said packet channel request. Therefore, the Examiner’s reliance on Figs. 4A and 4B of Leppisaari as allegedly satisfying claim 1 is misplaced and does not render the claimed invention obvious over the applied references, alone or in combination.

At least based on the foregoing as well as the previously submitted arguments to the extent that they apply to the claimed invention, Applicants submit that independent claim 1 is patentable over the applied references, alone or in combination.

Applicants submit that 4 and 6-9 are patentable at least by virtue of their dependencies from independent claim 1.

Applicants submit that independent claims 10 and 11 are patentable for analogous reasons to those set forth above with respect to claim 1.

Further, Applicants submit that dependent claim 5 is patentable at least by virtue of its dependency on independent claim 1. Balachandran does not make up for the deficiencies of the other applied references.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

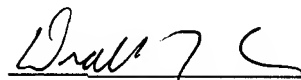
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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 13, 2009



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